

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

MARTIN I. DAVIS,  
  
RESPONDENT

FINAL DECISION AND ORDER  
  
LS0003272AUC

Division of Enforcement Case No. 95 AUC 026

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Martin I. Davis  
2214 Beechwood Blvd.  
Pittsburgh, PA 15217

Auctioneer Board  
PO Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Martin I. Davis (D.O.B. 07/26/52), 2214 Beechwood Boulevard, Pittsburgh, PA 15217 is duly registered as an auctioneer in the state of Wisconsin (permit #1023). A certificate of Wisconsin registration was granted on September 12, 1995.
2. On or about September 12, 1995, Respondent submitted his application for a certificate of registration as an auctioneer in Wisconsin. A true and correct copy of this application is attached to this document as Exhibit A. Exhibit A is incorporated by reference into this document.
3. On his application [Exhibit A] Respondent inadvertently answered "No" to the following question: "Has any licensing or other credentialing authority ever taken any disciplinary action against you, including but not limited to, any warning, reprimand, suspension, probation limitation or revocation?"
4. The representation by Respondent of no prior disciplinary history referred to in paragraph 3 above is incorrect. In December 1985, Respondent had his North Carolina Auctioneer's license suspended for a period of six [6] months, which Respondent contends that he had forgotten at the time of his Wisconsin Application. A true and correct copy of the December 18, 1985 Order of the North Carolina Auctioneer Licensing Board is attached to this document as Exhibit B. Exhibit B is incorporated by reference into this document.

CONCLUSIONS OF LAW

Based on the conduct referred to in paragraphs 2, 3 and 4 above, Martin I. Davis has violated sec. 480.24(2)(a), Stats. and Wis. Admin. Code RL 126.02(10).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. The State of Wisconsin Auctioneer Registration of Martin Davis (permit #1023). shall be SUSPENDED for a period of ONE YEAR.
2. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing a FORFEITURE in the sum of ONE THOUSAND dollars [\$1,000.00].
3. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial COSTS of the investigation and prosecution of this action in the sum of ONE HUNDRED dollars [\$100.00].
4. All payments submitted pursuant to this Order shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and submitted to the Department Monitor, C/O Division of Enforcement, PO Box 8935, Madison, WI 53708-8935
5. Prior to the conclusion of the suspension referred to in ¶1, above, Respondent shall submit acceptable documentation of successful completion of the State of Wisconsin examination for auctioneer registration.
6. This Order shall become effective upon the date of its signing.

AUCTIONEER BOARD

By

Richard O. Lust  
  
Member of the Board

March 27, 2000  
  
Date